



On behalf of the American Lung Association, a not-for-profit public health association working to save lives by improving lung health and preventing lung disease, please accept this letter of support for House File 904, a bill prohibiting the sale of all flavored tobacco products. The American Lung Association commends your comprehensive approach to the policy to clear the markets of *all flavored tobacco products*.

The Need is Clear:

Since the late 1990's, we have been making tremendous progress in reducing cigarette smoking rates to all-time lows. However, this positive news has been tempered by a dramatic increase in youth e-cigarette use and a tobacco product use rate that hasn't really changed in a decade. Even in 2021, tobacco use is a very present and real issue in Minnesota impacting too many, especially our most vulnerable populations.

The COVID-19 pandemic was clearly the main story of 2020, causing hundreds of thousands of deaths and disrupting the lives of everyone in the country. The U.S. Surgeon General has conclusively linked smoking to suppression of the immune system, and smoking can cause more severe COVID-19 symptoms, according to the Centers for Disease Control and Prevention (CDC). With the threat of COVID-19 in addition to the numerous tobacco-caused diseases, it is imperative to prevent youth from starting to use tobacco and to help everyone quit.

Why address flavors?

Flavors are one of the main reasons kids use tobacco products and have played a big role in the youth vaping epidemic. Research shows that 81% of kids who have ever used tobacco products started with a flavored product. Youth also cite flavors as a major reason for their current use of tobacco products.

Recognizing that almost all tobacco users begin their use during their adolescence or young adulthood, tobacco companies have spent billions of dollars marketing their products and making them more attractive to young people. It is well established that flavors are attractive to children and young people. Both the U.S. Surgeon General and the National Academy of Sciences, Engineering and Medicine have written comprehensive reports on e-cigarettes that discuss the subject. For decades, the tobacco industry has used flavors to attract youth. Indeed, the industry's decades-long conspiracy to deceive the public includes many documents that demonstrate the industry's understanding of the role flavors play in kids starting to use tobacco products. While most flavored cigarettes are prohibited, the industry is once again using flavored e-cigarettes – as well as cigars – to attract youth – and then addict them. With products claiming to taste like Gummy Bears, Atomic Fireball, Captain Crunch, Apple Juice and a wide variety of other fruit, candy and sweet flavors, there is no question that these flavors appeal to youth.

Kids clearly follow flavors. The National Youth Tobacco Survey (NYTS) 2020 revealed that teens made several notable changes in how they used e-cigarettes in 2020. Disposable e-cigarette use skyrocketed by 1,000% among high school e-cigarette users (from 2.4% to 26.5%) and 400% among middle school e-cigarette users (from 3% to 15.2%). Flavored e-cigarette use among current e-cigarette users also increased from 71.7% to over 82.9% among high school students and from 59.9% to 73.9% among middle school students. In addition, higher levels of menthol e-cigarette use were observed with 37% of high school students and 23.5% of middle school students using menthol flavored products. The percentage was even higher among kids who used cartridge-based e-cigarettes.



A comprehensive approach: We must treat all tobacco products the same.

Electronic Cigarettes

E-cigarettes have been increasingly popular among youth and young adults, but not nearly as popular among older adults. In 2019, 4.5 percent of adults used e-cigarettes every day or some days, and 36.9 percent of adults who used e-cigarettes also used traditional/combustible cigarettes. Adult e-cigarette use is highest among young adults: 9.3 percent of 18 – 24 year olds use e-cigarettes compared to 3.0 percent of 45 – 64 year olds.

There is strong evidence that flavor additives in e-cigarettes – especially those that are based on natural plant-based extracts, are menthol-based and food-related additives such as cinnamaldehyde – are particularly toxic to lungs when they are inhaled. One study found that these additives significantly affect the lung cell viability and the respiratory barrier integrity. Another study found that lower concentrations of these flavor additives in e-cigarettes caused inflammation and created symptoms consistent with endothelial dysfunction. And of course, the presence of chemicals such as a diacetyl and acetyl propionyl, are associated with respiratory disease.

Other Flavored Tobacco Products

Much like COVID-19 has a disproportionate impact on certain communities, especially communities of color, so does tobacco use and exposure to secondhand smoke. Menthol cigarettes remain a key vector for tobacco-related death and disease in Black communities, with over 80% of Black Americans who smoke using them. Nearly 9 in 10 African-American smokers (88.5 percent) aged 12 years old and older use menthol cigarettes. This is not by chance – the sale and marketing of menthol cigarettes disproportionately burdens the African-American community by the tobacco industry. Also, use of menthol cigarettes is more common among youth, female smokers, LGBTQ+ smokers, and those with mental illness. (see attached Lung Health Policy Brief – Menthol) The health disparities we see with tobacco use and tobacco related disease are some of the reasons the American Lung Association supports prohibiting the sale of all flavored tobacco products

With a vision of a world free of lung disease, the American Lung Association supports strong tobacco prevention policies that are proven to reduce tobacco rates. A comprehensive approach, including passage of House File 904 prohibiting the sale of all flavored tobacco products is needed to realize this vision and prevent today's youth from being the next generation of kids addicted to tobacco products.

Sincerely,

A handwritten signature in black ink that reads "Pat McKone".

Pat McKone, Senior Director
Public Policy and Advocacy

About the American Lung Association

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease through education, advocacy and research. The work of the American Lung Association is focused on four strategic imperatives: to defeat lung cancer; to champion clean air for all; to improve the quality of life for those with lung disease and their families; and to create a tobacco-free future. For more information about the American Lung Association, a holder of the coveted 4-star rating from Charity Navigator and a Gold-Level GuideStar Member, or to support the work it does, call 1-800-LUNGUSA (1-800-586-4872) or visit: Lung.org.

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Menthol Hooks Kids and Keeps Adults Addicted

Industry uses flavor to make the poison go down more smoothly

The American Lung Association and our partners have repeatedly called on the Food and Drug Administration (FDA) to remove menthol cigarettes and all other menthol flavored tobacco products from the marketplace.



Menthol cigarettes remain a key vector for tobacco-related death and disease in Black communities, with over 80% of Black Americans who smoke using them. Menthol cigarette use is also elevated among LGBTQ+ Americans, pregnant women and persons with lower incomes. A recent study showed that while overall cigarette use declined by 26% over the past decade, 91% of that decline was due to non-menthol cigarettes.

There is extensive research documenting the role menthol cigarettes play in attracting youth and making it harder for people to quit smoking, especially among Black individuals. A report by FDA's Tobacco Product Scientific Advisory Committee in 2011 and FDA's Center for Tobacco Products in 2013 both concluded that removing menthol cigarettes from the marketplace would benefit public health in the United States.

The American Lung Association and our partners have sent numerous letters and filed multiple comments with the FDA, urging it to remove all menthol cigarettes from the marketplace.

- [Updated Citizens' Petition to the FDA](#), urging it to begin a rulemaking process to remove all menthol cigarettes from the marketplace (2021).
- [Letter to FDA](#) urging it to begin a rulemaking process to prohibit menthol cigarettes (2020).
- [Letter to the House Energy and Commerce Committee](#), urging it to prohibit menthol cigarettes (2019).
- [Comments filed with FDA](#) related to an advanced notice of public rule making prohibiting menthol cigarettes (2013).
- [Citizen Petition to FDA](#) urging it to remove menthol cigarettes from the marketplace (2013).



- Comments filed with FDA related to the Tobacco Products Scientific Advisory Committee's analysis of the impact menthol cigarettes have on the public health (2010).

The Tobacco Industry Targets African Americans, Including by Using Civic Leaders

- According to the Center for Black Health and Equity, "the tobacco industry has executed a calculated, menthol-centered strategy to establish a strong presence in African American communities, appropriate African American culture, and create a dependency on tobacco funding."
- The Center for Black Health and Equity has also called for the rejection of "**the tobacco industry's attempt to co-opt African American voices and position itself as a thought leader in our community...the [tobacco] industry is covertly promoting its own policy agenda to keep menthols on shelves. They have used respected African American civic leaders to host events and have claimed to honor Black Lives while denying responsibility for the 40,000 Black deaths they cause each year.**"

For more information

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